

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

Civil Action No. 3:17-cv-392

Dora Dayton

Plaintiff,

v.

**Charlotte-Mecklenburg Hospital Authority
d/b/a Carolinas Healthcare System, and
Bryan May,**

Defendants.

**Plaintiff's Consent Motion
for Extension of Time
and Continuance**

NOW COMES Plaintiff, Dora Dayton ("Ms. Dayton"), pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and Local Rule 7.1, and with the consent of both Defendants, and respectfully moves the Court for a 30-day extension of time to complete discovery, corresponding extensions of other upcoming case deadlines, and a continuance of the date set for trial. In support of this Motion, Ms. Dayton shows the following:

1. The Court's March 27, 2018 Pretrial Order and Case Management Plan in this matter sets forth the following schedule:
 - a. The close of discovery is scheduled for January 18, 2019;
 - b. The deadline to complete mediation is February 8, 2019;
 - c. Dispositive motions must be filed by February 22, 2019;
 - d. Oral arguments on dispositive motions must occur on or before April 4, 2019; and
 - e. A jury trial is scheduled to begin on May 6, 2019.

2. Defendants have deposed Ms. Dayton, but due to scheduling and financial constraints, Ms. Dayton has not yet been able to depose any witnesses of her own.

3. Ms. Dayton requests the additional time to complete discovery so that she can conduct depositions and fully develop her case, and requests a corresponding extension of each subsequent deadline by thirty (30) days, as well as a continuance of the date set for trial, as follows:

- a. Discovery completed by February 18, 2019;
- b. Mediation completed by March 11, 2019;
- c. Dispositive motions filed by March 26, 2019;
- d. Oral arguments on dispositive motions completed by May 6, 2019; and
- e. Jury trial to begin on June 5, 2019.

4. Ms. Dayton requests this extension of time prior to the original deadline for discovery completion, and has obtained the consent of both Defendants.

5. Ms. Dayton makes this motion in good faith and not for the purpose of undue delay.

6. A proposed Order granting the requested extensions is submitted herewith.

WHEREFORE, for the reasons above, Plaintiff Dora Dayton respectfully moves this Court to extend the deadline for completion of discovery and all subsequent events by thirty (30) days.

Respectfully submitted,

This the 11th day of December, 2018,

Venum PLLC

By: /s/ Elizabeth Venum

N.C. State Bar No, 49747
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P.O. Box 12105
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Counsel for Plaintiff

CERTIFICATE OF SERVICE

The undersigned certifies that on December 11, 2018, the foregoing Motion for Extension of Time and Continuance was filed with the Clerk of the Court using the CM/ECF system which will send notification to all other parties as shown below:

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| <p>Stephen D. Dellinger sdellinger@littler.com Molly M. Shah Mshah@littler.com Elizabeth H. Pratt epratt@littler.com Littler Mendelson, P.C. Bank of America Corporate Center 100 North Tryon Street, Suite 4150 Charlotte, NC 28202 <i>Attorneys for Defendant CHS</i></p> | <p>Ann Herlocker Smith Ann.Smith@jacksonlewis.com Caitlin Murray Goforth Caitlin.Goforth@jacksonlewis.com Jackson Lewis P.C. 3737 Glenwood Avenue, Suite 450 Raleigh, NC 27612 <i>Attorneys for Defendant May</i></p> |
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By: /s/ Elizabeth Venum
Elizabeth Venum
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